

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ARTHUR MCGEE

-V-

ORDER OF DISMISSAL  
FOR LACK OF ACTIVITY,  
ADOPTING REPORT & RECOMMENDATION

CV 07-1676 (JS) (AKT)

NASSAU COUNTY  
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APPEARANCES:

For Plaintiff:

Arthur McGee, *Pro Se*

124 N. 17 St.

Wheatley Heights NY 11798

For Defendants:

Pablo Fernandez, Esq.

Nassau Co. Attorney's Office

1 West St.

Mineola NY 11501

SEYBERT, DISTRICT JUDGE:

The above-captioned case was commenced on Apr. 16, 2007.

In her Report & Recommendation dated Jan. 5, 2011 (docket entry [111]), Magistrate Judge A. Kathleen Tomlinson provided a detailed summary of the course of this case. The plaintiff failed to appear at two conferences before Judge Tomlinson, the last time despite a warning that she would recommend dismissal if he did not attend. There has been no objection to the Report & Recommendation, so it is ADOPTED in its entirety.

IT IS HEREBY ORDERED that this case be dismissed with prejudice for lack of prosecution, pursuant to Rule 41(b), Federal Rules of Civil Procedure. The Clerk of Court is directed to mark the case closed.

SO ORDERED.

/s/ JOANNA SEYBERT  
JOANNA SEYBERT  
U.S. DISTRICT JUDGE

Dated: Central Islip, New York

Feb. 8, 2011